

(D) Remarks

Information Disclosure Statement

Examiner states that the listing of references in specification is not a proper information disclosure statement. Agent for Applicant respectfully submits that the references cited in the specification are provided as background to the invention and are not considered to be the information disclosure statement.

Drawings

Examiner states that the "hook shape" must be shown in the drawings. Agent for Applicant respectfully submits new Figure 6 showing the arm 44 having a hook shaped distal end 28 so as to be parallel to the bracket member 12. Support for new Figure 6 may be found at line 28, page 6 of the specification.

Additional Fees

Agent for Applicant encloses our firm cheque in the amount of \$44.00 (US) representing payment with respect to the additional independent claim.

35 USC § 112

Examiner states that claim 13 is rejected as being indefinite at lines 1-2 as "said surface" cites a combination/subcombination problem as "surface" is not positively cited in the preamble of claim 1. Agent for Applicant submits that claim 1 has been amended to overcome said objections.

35 USC § 102

Examiner states that claims 1-4, 9-10 and 12-13 are rejected as being anticipated by U.S. Patent No. 3,941,250 to Ott.

Agent for Applicant respectfully submits that claim 1 is an independent claim and has been amended to include the limitation of having the hook member extend to a maximum of 45° when the projection engages the positioning channel. Ott does not teach the limitation of the hook member extending to a maximum of 45°. Claims 2-4 are dependent claims on claim 1. Claims 9-10 are dependent claims on claim 4. Claims 12-13 are dependent claims on claim

4. The amendments to claim 1 therefore make the objections to claims 2-4, 9-10 and 12-13 moot.

35 USC § 103

Examiner states claims 11 is rejected under 35 USC 103(a) as being unpatentable over Ott. Agent for Applicant submits that claim 11 is a dependent claim to claim 4 which is dependent to claim 1 which is now amended. Agent for Applicant respectfully submits that the limitations to claim 1 or base claim overcome the obvious objection with respect to claim 11.

Examiner states that claim 14 is rejected as being unpatentable over Ott in view of U.S. Patent No. 2,706,049 to Andrews. Agent for Applicant respectfully submits that claim 14 is a dependent claim on claim 4 which is dependent on claim 1. Agent for Applicant respectfully submits that new Figure 6 clearly shows the hook shaped distal end of the arm. Agent submits that the limitation found in the base claim and the clear view of the hook shaped distal end of the arm overcome the Examiner's objections with respect to obviousness.

Examiner state that claims 15-18 are rejected as being unpatentable over Ott in view of U.S. Patent Application No. 2004/0104325 to Ay. Agent for Applicant respectfully submits that claim 15 is an independent claim and that claims 16-18 are dependent claims on claim 15. Agent submits that claim 15 has been amended to include the limitations of 45° thereby overcoming the Examiner's objection with respect to obviousness as neither Ott nor Ay contemplate this limitation.

Allowable Subject Matter

Agent for Applicant submits that claims 5-8 and 19-20 are allowable if they are rewritten to include all the limitations of the base and intervening claims. Agent for Applicant submits that claims 5-8 and 19-20 have been rewritten as requested by the Examiner.

Conclusions

Agent for Applicant respectfully states that the application is now in condition for immediate allowance and respectfully solicits same.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Eugene Gierczak", with a stylized flourish at the end.

Agent for Applicant  
Eugene J.A. Gierczak  
(Registration No. 31,690)  
**MILLER THOMSON LLP**  
Barristers & Solicitors  
20 Queen Street West, Suite 2500  
Toronto, Ontario Canada M5H 3S1  
Telephone No. 416.596.2132  
Telecopier No. 416.595.8695  
LGG/gt - enclosure